

PATENT
ATTORNEY DOCKET NO. 602470.002

REMARKS

In the final Office Action dated August 8, 2005, the Examiner maintains the rejection of claims 1 through 16 under 35 U.S.C. 103(a) as being obvious over U.S. Patent No. 6,640,230 to Alexander, et al. ("Alexander") in view of U.S. Patent No. 5,948,040 to DeLorme, et al. ("DeLorme"). Applicants respectfully traverse the Examiner's rejections and request reconsideration and withdrawal of the rejections in view of the amendments and following remarks submitted herewith

Independent claim 1 of the present invention is directed towards a system for performing searches across user defined events for an arbitrary geographic region or regions. The system comprises an event data structure comprising one or more user defined events, each event associated with a zip code, a zip list processor operative to receive a zip code and a distance value, which are used to calculate a zip list comprising all zip codes geographically located within the distance value from the zip code, and an event list generator to receive the zip list and query the event data structure to retrieve events associated with zip codes contained in the zip list. Independent claim 9 comprises substantially similar elements to those comprising independent claim 1, but is cast as a method.

In the previous response, Applicants submitted that the combination of Alexander and DeLorme fails to teach or suggest all of the claimed elements of the present invention. Specifically, with respect to independent claim 1, Applicants asserted that Alexander fails to teach or suggest the element of an event list data structure comprising one or more user defined events, each event associated with a zip code. In support of their assertion, Applicants submitted that Alexander discusses context and

PATENT
ATTORNEY DOCKET NO. 602470.002

specific events that personal assistant software uses to automatically generate a response to an incoming event, but fails to teach or suggest context or specific events associated with a zip code.

In response to Applicants' position, the Examiner fails to address Applicants' response regarding this claim element, but simply notes that the recitation of the preamble for "a system for performing searches across user defined events for an arbitrary geographic region or region" is not to be given patentable weight. The Examiner then proceeds to rely on Alexander, which "teaches retrieving a specific event", (Office Action 8/8/2005, pp. 2-3) and that DeLorme "teaches searching a particular scheduled events". (Office Action 8/8/2005, p. 3). Retrieving a specific event and scheduling a particular scheduled event, however, is not the same as performing a search across user defined events utilizing an event data structure that comprises user defined events associated with a zip code. The claimed element of the present invention focuses upon events defined by a user that correspond to a zip code. As Applicants have previously asserted, the prior art relied upon by the Examiner fails to teach or suggest events associated with a zip code.

Applicants further previously submitted that Alexander fails to teach or suggest the claim element of an event list generator to receive a zip list and query the event data structure to retrieve events associated with zip codes contained in the zip list. In support of this assertion, Applicants submitted that Alexander is silent regarding receiving a zip list and querying the event data structure to retrieve events associated with zip codes contained in the zip list. More specifically, the events in Alexander are not associated with zip code, but rather a context for a user of a calendar.

PATENT
ATTORNEY DOCKET NO. 602470.002

Applicants' respectfully assert that the Examiner is misconstruing the discussion of Alexander and Alexander discusses a method and system for using events in an electronic calendar for a given users to prepare customized responses to incoming events. Such a system does not teach or suggest an event list generator that receives a zip list and queries an event data structure to retrieve events associated with the zip codes contained in the zip list. This specific claim element of the present invention is directed toward generating an event list based upon the receipt of a zip code with a corresponding distance value to search for events associated with corresponding zip codes.

The discussion of Alexander and the claimed element are simply nonanalogous. At best, Alexander's discussion regarding the types of responses to incoming events such as "in the office", "outside scheduled working hours" or "at alternate work location" are the sole descriptions in Alexander relating to location. Generating an automated response, however, is simply not the same as generating an event list based upon the receipt of a zip code with a corresponding distance value to search a list of events associated with corresponding zip codes. Therefore, the prior art relied upon by the Examiner fails to teach or suggest the claim element of an event list generator that receives a zip list and queries an event data structure to retrieve events associated with the zip codes contained in the zip list.

Applicants have conducted a thorough review of Alexander and Delorme and respectfully assert that Alexander and Delorme, considered alone or in combination with the prior art of record, do not teach or suggest at least an event data structure comprising one or more user defined events or an event list generator to receive the zip list and query the event data structure to retrieve events associated with zip codes

PATENT
ATTORNEY DOCKET NO. 602470.002

contained in the zip list. Accordingly, Applicants respectfully request withdrawal of the rejection of independent claims 1 and 9 and allowance of the same.

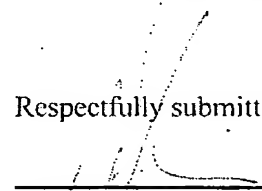
The dependent claims of the present application contain additional features that further substantially distinguish the invention of the present application over the prior art of record. Given the Applicants' position on the patentability of the independent claims, however, it is not deemed necessary at this point to delineate such distinctions.

For these reasons, the Applicants respectfully request that the Examiner withdraw the rejections as they might be applied to the claims as pending following entry of this Amendment and allow the claims. To expedite prosecution of this application to allowance, the Examiner is invited to call the applicants' undersigned representative to discuss any issues relating to this application.

Dated: February 11, 2008

THIS CORRESPONDENCE IS BEING
SUBMITTED BY FACSIMILE TO THE US
PATENT AND TRADEMARK OFFICE ON
FEBRUARY 11, 2008.

Respectfully submitted,



Jeanpierre Giuliano
Reg. No. 55,206
DREIER LLP
499 Park Ave.
New York, New York 10022
Tel : (212) 328-6000
Fax: (212) 328-6100

Customer No. 61834